

Banner & Witcoff Ref. No. 05274.00006

Client Ref. No.

JOINT DECLARATION FOR PATENT APPLICATION

As the below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names;

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled METHOD AND SYSTEM FOR USING A VOICE CHANNEL WITH A DATA SERVICE, the specification of which

- ☒ is attached hereto.
☐ was filed on _____ as Application Serial Number _____ and was amended on _____ (if applicable).
☐ was filed under the Patent Cooperation Treaty (PCT) and accorded International Application No. _____, filed _____, and amended on _____ (if any).

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We hereby acknowledge the duty to disclose information which is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56(a).

Prior Foreign Application(s)

We hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Country	Application No.	Date of Filing (day month year)	Date of Issue (day month year)	Priority Claimed Under 35 U.S.C. §119

Prior United States Provisional Application(s)

We hereby claim priority benefits under Title 35, United States Code, §119(e)(1) of any U.S. provisional application listed below:

U.S. Provisional Application No.	Date of Filing (day month year)	Priority Claimed Under 35 U.S.C. §119(e)(1)
60/256,091	15/12/00	yes

Prior United States Application(s)

We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Date of Filing (Day, Month, Year)	Status ? Patented, Pending, Abandoned

Banner & Witcoff Ref. No. 05274.00006
Client Ref. No.

Power of Attorney

And we hereby appoint, both jointly and severally, as our attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith the following attorneys and agents, their registration numbers being listed after their names:

ALTHERR, Robert F.	31,810	HONG, Patricia E.	34,373	NELSON, Jon O.	24,566
BANNER, Donald W.	17,037	HOSCHEIT, Dale H.	19,090	NIEGOWSKI, James A.	28,331
BANNER, Mark T.	29,888	HYMEL, Lin J.	45,414	PATEL, Binal J.	42,065
BANNER, Pamela I.	33,644	IWANICKI, John P.	34,628	PATHAK, Ajay S.	38,266
BECKER, Matthew P.	45,824	JACKSON, Thomas H.	29,808	PETERSON, Thomas L.	30,969
BECKETT, William W.	18,262	KAGAN, Sarah A.	32,141	POTENZA, Joseph M.	28,175
BERGHAMMER, Joseph J.	46,057	KATZ, Robert S.	36,402	PRATT, Thomas K.	37,210
BODNER, Jordan	42,338	KLEIN, William J.	43,719	RENK, Christopher J.	33,761
BUROW, Scott A.	42,373	KRAUSE, Joseph P.	32,578	RESIS, Robert H.	32,168
CALLAHAN, James V.	20,095	LINEK, Ernest V.	29,822	RIVARD, Paul M.	43,446
CHANG, Steve S.	42,402	MALONE, Dale A.	32,155	ROBINSON, Douglas W.	32,751
COHAN, Gregory J.	40,959	MANNAVA, Ashok K.	45,301	SCHAD, Steven P.	32,550
COOPERMAN, Marc S.	34,143	MAPLE, Marie-Claire B.	37,588	SHIFLEY, Charles W.	28,042
CURTIN, Joseph P.	34,571	MAY, Steven A.	44,912	SHULL, Jason	47,085
DAVID, Michael	44,642	McDERMOTT, Peter D.	29,411	SKERPON, Joseph M.	29,864
DeMOOR, Laura J.	39,654	McKEE, Christopher L.	32,384	STOCKLEY, D. J.	34,257
EVANS, Thomas L.	35,805	McKIE, Edward F.	17,335	VAN ES, J. Pieter	37,746
FEDORCHKO, Gary D.	35,509	MEDLOCK, Nina L.	29,673	WITCOFF, Sheldon W.	17,399
FERGUSON, Catherine A.	40,877	MEECE, Timothy C.	38,553	WOLFFE, Franklin D.	19,724
FICKLER, Debra A.	46,699	MEEKER, Frederic M.	35,282	WOLFFE, Susan A.	33,568
FISHER, William J.	32,133	MILLER, Charles L.	43,805	WRIGHT, Bradley C.	38,061
GLEMBOCKI, Christopher R.	38,800	MITRIUS, Janice V.	43,808		
HANLON, Brian E.	40,449	MORENO, Christopher P.	38,566		
HEMMENDINGER, Lisa M.	42,653	MOTTLEY, Darrell G.	42,912		

All correspondence and telephone communications should be addressed to:

Banner & Witcoff, Ltd.
Customer Number: 22907 (WDC)

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature [Signature] Date 2-16-01
Full Name of First Inventor Stouffer Scott Allen
Family Name First Given Name Second Given Name
Residence San Bruno, California Citizenship United States
Post Office Address 4700 Susan Drive, Suite 302, San Bruno, CA 94066

Signature [Signature] Date 2/16/01
Full Name of Second Inventor Hendrey Geoffrey
Family Name First Given Name Second Given Name
Residence San Bruno, California Citizenship United States
Post Office Address 3800 Skyline Drive, #302, San Bruno, CA 94066

Please type a plus sign (+) inside this box → ☒

PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No. 5274.00006

First Inventor Scott Allen Stouffer and Geoffrey Hendrey

Title Method and System For Using A Voice Channel With a Data Service

Express Mail Label No.

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 36]
(preferred arrangement set forth below)
- Descriptive title of the invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the invention
 - Brief Summary of the invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 6]
5. Oath or Declaration [Total Pages 2]
- a. ☒ Newly executed (original or copy)
- b. ☐ Copy from a prior application (37 CFR 1.63 (d))
(for a continuation/divisional with Box 18 completed)
- c. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO:Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ paper
- c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATIONS PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 C.F.R. §3.73(b) Statement of Power of Attorney (when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other: _____

18. If a **CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: _____ / _____
Prior application information: Examiner _____ Group / Art Unit: _____

For **CONTINUATION** or **DIVISIONAL APPS** only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS☒ Customer Number or Bar Code Labelor ☐ Correspondence address below

Name

22907

PATENT TRADEMARK OFFICE

Address

City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type)

Thomas H. Jackson

Registration No. (Attorney/Agent)

29,808

Signature

Date

2/16/01

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

11033 U.S. PRO
09/784096

02/16/01